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PTO/SB/21 (05-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/269,874																																							
		Filing Date	August 2, 1999																																							
		First Named Inventor	BUJARD, HERMANN																																							
		Group Art Unit	1645																																							
		Examiner Name	DUFFY, PATRICIA ANN																																							
Total Number of Pages in This Submission		Attorney Docket Number	GRUE-003																																							
ENCLOSURES (check all that apply)																																										
<table border="0"><tr><td><input type="checkbox"/> Fee Transmittal Form</td><td><input type="checkbox"/> Assignment Papers (for an Application)</td><td><input type="checkbox"/> After Allowance Communication to Group</td></tr><tr><td><input type="checkbox"/> Fee Attached</td><td><input type="checkbox"/> Drawing(s)</td><td><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences</td></tr><tr><td><input type="checkbox"/> Amendment / Reply</td><td><input type="checkbox"/> Licensing-related Papers</td><td><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)</td></tr><tr><td><input type="checkbox"/> After Final</td><td><input type="checkbox"/> Petition</td><td><input type="checkbox"/> Proprietary Information</td></tr><tr><td><input type="checkbox"/> Affidavits/declaration(s)</td><td><input type="checkbox"/> Petition to Convert to a Provisional Application</td><td><input type="checkbox"/> Status Letter</td></tr><tr><td><input type="checkbox"/> Extension of Time Request</td><td><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address</td><td><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):</td></tr><tr><td><input type="checkbox"/> Express Abandonment Request</td><td><input type="checkbox"/> Terminal Disclaimer</td><td>1) Petition (1 pg.)</td></tr><tr><td><input type="checkbox"/> Information Disclosure Statement</td><td><input type="checkbox"/> Request for Refund</td><td>2) Copy of PTOL-85 and Return Postcard as filed on September 16, 2004 (2 pgs.)</td></tr><tr><td><input type="checkbox"/> Certified Copy of Priority Documents</td><td><input type="checkbox"/> CD, Number of CD(s)</td><td>3) Copy of Express Mail Certification (1 pg.)</td></tr><tr><td><input type="checkbox"/> Response to Missing Parts/Incomplete Application</td><td></td><td>4) Copy of Tracking Information (1 pg.)</td></tr><tr><td><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53</td><td></td><td>5) Copy of Stamped Express Mail Receipt (1 pg.)</td></tr><tr><td></td><td></td><td>6) Copy of Stamped Return Postcard from U.S.P.T.O. (1 pg.)</td></tr><tr><td></td><td></td><td>7) Return Postcard</td></tr></table>				<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Petition (1 pg.)	<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Copy of PTOL-85 and Return Postcard as filed on September 16, 2004 (2 pgs.)	<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s)	3) Copy of Express Mail Certification (1 pg.)	<input type="checkbox"/> Response to Missing Parts/Incomplete Application		4) Copy of Tracking Information (1 pg.)	<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		5) Copy of Stamped Express Mail Receipt (1 pg.)			6) Copy of Stamped Return Postcard from U.S.P.T.O. (1 pg.)			7) Return Postcard
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Remarks																																										
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT																																										
Signing Attorney/Agent (Reg. No.)	PAULA A. BORDEN, 42,344 BOZICEVIC, FIELD & FRANCIS, LLP																																									
Signature	<i>[Handwritten signature]</i>																																									
Date	November 18, 2004																																									

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty Dkt. No.: GRUE-003
USSN: 09/269,874

EXPRESS MAIL NO. **EV519866935US**

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.181 Address to: Mail Stop: Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	GRUE-003
	First Named Inventor	BUJARD, HERMANN
	Application Number	09/269,874
	Filing Date	August 2, 1999
	Group Art Unit	1645
	Examiner Name	DUFFY, PATRICIA ANN
	Title:	"RECOMBINANT PROCESS FOR PREPARING A COMPLETE MALARIA ANTIGEN GP190/MSP1"

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181(a). This Petition is being filed in response to the Notice of Abandonment dated November 2, 2004. A two-month period for filing a petition to withdraw a holding of abandonment was given, making this Petition due on or before January 2, 2005. Accordingly, this Petition is timely filed.

Applicant hereby petitions for withdrawal of the holding of abandonment in the present application.

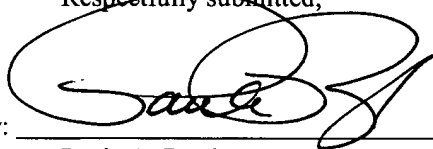
The Patent Office incorrectly indicated that the application was abandoned for failure to pay the requisite Issue Fee and publication fee within the statutory 3-month period. This is in error.

A Notice of Allowance issued in the above-captioned case on June 17, 2004, making the Issue Fee due on or before September 17, 2004. The Issue Fee was timely filed on September 16, 2004. As provided for under 37 C.F.R. § 1.10(e), the following are provided herewith: 1) a copy of the PTOL-85 form as filed, showing Express Mail No. EV46 2737 953 US; 2) a copy of the Express Mail Certification, certifying that the PTOL-85 form was deposited with the United States Postal Service (USPS) on September 16, 2004; 3) a copy of the tracking information, which provides evidence that the items, including the PTOL-85 form filed in connection with this patent application, which were delivered under Express Mail No. EV46 2737 953 US, were accepted by the USPS on September 16, 2004, and were delivered to the U.S. Patent and Trademark Office on September 20, 2004; 4) a copy of the stamped Express Mail receipt; and 5) a copy of the stamped Return Postcard from the U.S. Patent and Trademark Office.

While no fee is believed due, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number GRUE-003.

Respectfully submitted,

Date: Nov. 18, 2004

By: 
Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400 Facsimile: (650) 327-3231



Atty/Sec: PAB/CKH

Atty Docket No. GRUE-003

Application No.: 09/269,874

Date Mailed: September 16, 2004

Filing Date: August 2, 1999

Inventor(s): BUJARD, HERMANN

Title: "RECOMBINANT PROCESS FOR PREPARING A
COMPLETE MALARIA ANTIGEN GP190/MSP1"

Enclosure(s):

- ❖ Issue Fee Transmittal + Duplicate (2 pgs.)
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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

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	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/269,874

08/02/1999

HERMANN BUJARD

402162000200

1745

TITLE OF INVENTION: RECOMBINANT PROCESS FOR PREPARING A COMPLETE MALARIA ANTIGEN, GP190/MSP1

GRUE-003

RECOMBINANT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

YES

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EXAMINER	ART UNIT	CLASS-SUBCLASS
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DUFFY, PATRICIA ANN

1645

435-069100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Paula A. Borden
 2 Bozicevic, Field &
 3 Francis LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Hermann Bujard

Heidelberg, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent); ☒ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0815 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Paula A. Borden (Date)

Paula A. Borden (Reg. No. 42,344) 09/16/2004

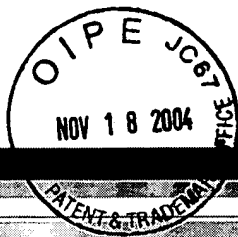
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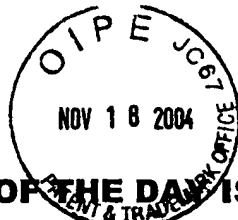
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Atty. Docket No.	Serial Number	Description	Atty.	Fee
STAN-303	10/826,472	Transmittal, Supplemental ADS	PJS	
CELL-017	09/814,357	Transmittal, Petition for a 2 Month Extension of Time <i>in duplicate</i> , Amendment After Final Rejection	PJS	\$210
UCAL-280	10/809,777	IDS, SB08A, (32) Cited References	PAB	
GRUE-003	09/269,874	PTOL-85 <i>in duplicate</i>	PAB	\$665
LBLB-002CIPCON2	10/155,918	Transmittal, Restriction Requirement	KYB	
CELL-018CON	10/691,045	Transmittal, IDS, SB08A, Copy of (1) Cited Reference, Copy of EP Communication dated 08/18/04	PJS	
CELL-021	10/053,886	Transmittal, IDS, SB08A, Fee Sheet <i>in duplicate</i> , Copy of (1) Cited Reference, Copy of EP Communication dated 08/18/04	PJS	\$180



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